

CITY OF ALAMEDA PLANNING BOARD
DRAFT RESOLUTION

A RESOLUTION OF THE PLANNING BOARD OF THE CITY OF ALAMEDA RECOMMENDING APPROVAL OF A MASTER PLAN AND DENSITY BONUS APPLICATION FOR REDEVELOPMENT AND ADAPTIVE REUSE OF THE PROPERTY AND FORMER DEL MONTE WAREHOUSE SITE LOCATED AT 1501 BUENA VISTA AVENUE

WHEREAS, TL Partners I, LP made an application on behalf of Tim Lewis Communities on March 3, 2014, and

WHEREAS, the General Plan designation of the site is Mixed Use; and

WHEREAS, the parcel is located within the Mixed Use/Planned Development Zoning District and Multi-Family Overlay District; and

WHEREAS, an Initial Study/Subsequent Mitigated Negative Declaration was prepared for the project pursuant to the California Environmental Quality Act (CEQA); and the Initial Study/Subsequent Mitigated Negative Declaration (IS/SMND) determined that the proposed project would result in new or substantially more severe significant impacts, new information, or changes in circumstances that were not identified for the Del Monte Site in the Northern Waterfront General Plan Amendment EIR (GPA EIR); however the new impacts are reduced to less than significant levels with new or revised mitigations; and

WHEREAS, the Planning Board held a study session on the proposed Master Plan on March 10 and April 28, 2014, and

WHEREAS, the Planning Board held a public hearing and examined all pertinent materials on June 23, 2014 and September 22, 2014, and

NOW THEREFORE be it resolved that, the Planning Board makes the following findings relative to proposed Master Plan and Density Bonus applications ("the proposal")

- A. **The proposal is an effective use of the site.** The Master Plan provides for residential and commercial adaptive reuse of a designated City Historic Monument that will ensure the preservation of the building. In addition, the Plan provides for a transit oriented project that includes market-rate and affordable housing and commercial services, waterfront access improvements, pedestrian, transit and bicycle facilities, and other amenities and features to ensure that the site is pedestrian, bicycle and transit-friendly.
- B. **The proposed use relates favorably to the General Plan.** The Master Plan is in substantial conformance with the General Plan, Housing Element, and Zoning Ordinance. The proposed development supports General Plan policies for the redevelopment and reuse of the Northern Waterfront, General Plan policies to increase housing opportunities in Alameda, Housing Element policies in support of multifamily housing on the site, and General Plan policies to extend public streets,

bicycle lanes, transit lanes and pedestrian access through the area to the waterfront. This project facilitates future development of, and access to, the adjacent waterfront land areas, which supports General Plan policies to increase public waterfront parks and public waterfront access citywide and on this property.

- C. **The proposed use, if it complies with all conditions upon which approval is made contingent, will not adversely affect other property in the vicinity and will not have substantial deleterious effects on existing business districts or the local economy.** The proposal's are consistent with the General Plan and qualifies as a mixed use development pursuant to the MX Mixed Use Planned Development Zoning District. The proposal will improve access and circulation in the neighborhood by the construction of the Clement Avenue extension, and improve open space opportunities in the neighborhood at the Jean Sweeney Open Space Park.
- D. **The location of the proposed use is compatible with other land uses in the general neighborhood area, and the project design and size is architecturally, aesthetically, and operationally harmonious with the community and surrounding development.** The proposed development qualifies as a mixed-use development pursuant to the MX, Mixed-Use Planned Development Zoning District, and satisfies the purposes of the MX district and MF Multifamily Zoning District regulations. The project site plan is designed to conform to the Northern Waterfront GPA objectives and requirements adopted to ensure that the project would be compatible with adjacent residential neighborhoods, the approved residential development on the Chipman site and future residential and mixed use development at the Encinal Terminals site, and existing and future waterfront uses. The Development Plan will provide for adequate landscaping including Bay Friendly native plants as required by City standards. The proposed development will result in health and safety improvements to a property that is currently severely blighted and a detriment to the surrounding community.
- E. **The proposed use will be served by adequate transportation and service facilities including pedestrian, bicycle, and transit facilities.** The Master Plan is compatible with existing and potential contiguous uses. The street network, location of entry roads, orientation of residential uses along Buena Vista Avenue and the Northern Waterfront, and the location of bicycle facilities, pedestrian facilities, and transit facilities are all designed to complement and support the planned surrounding uses. The residential plans provide for a well-designed pedestrian network, bicycle access, and vehicular access. The proposed improvements on Clement and Buena Vista Avenues will support and encourage use of, and access to, the waterfront. By constructing and/or contributing to the Clement Avenue extension, this project is also providing important infrastructure improvements that are necessary to serve the final phases of the Northern Waterfront planning area.
- F. **The proposed affordable units make the project eligible for a density bonus of 20% under California Government Code 65915 and City of Alameda Municipal Code Section 30-17.** TL Partners I, LP has requested the 20% density bonus for a total project size of 414 residential units. The existing zoning designation for the property allows up to 345 multifamily residential units. The applicant is proposing 55 affordable units, including 17 housing units affordable to very-low-income households (5%), 14 housing units affordable to low-income households (4%) and 24 units affordable to moderate-income households (7%). The applicant is providing

5% of the units to very low-income households, which qualifies the project for a 20% density bonus, for a total project size of 414 units.

- G. **The proposed affordable units make the project eligible for development standard waivers under California Government Code 65915 and City of Alameda Municipal Code Section 30-17.** TL Partners I, LP has requested a waiver from Alameda Municipal Code Section 30-17 35-foot height limit to accommodate the bonus units. The requested development standard waiver would not have a specific, adverse impact, as defined in paragraph (2) of subdivision (d) of section 65589.5, upon health, safety, or physical environment, and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without increasing the potential impact of the project on the historic resource. Finally, the requested development standard waiver would not be contrary to state or federal law.
- H. **The proposed development, as mitigated, will not cause new or substantially more significant environmental impacts than were disclosed in the Northern Waterfront General Plan EIR.** The IS/SMND for the Del Monte project completed pursuant to CEQA determined that the proposed project would result in changes in the project, changes in circumstances or new information that would result in new significant impacts or in a substantial increase in the severity of impacts which were previously identified in the GPA EIR. Any new significant impacts or substantially more severe impacts are reduced to less than significant levels with new or revised mitigation measures incorporated into the Project. All mitigations specified in the GPA EIR and in the IS/SMND shall be included as conditions of approval for the project development plans required by the Master Plan.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Planning Board hereby recommends that the Alameda City Council approve the Del Monte Master Plan and Density Bonus application, subject to the following condition:

1. The applicant shall defend (with counsel reasonably acceptable to the City), indemnify, and hold harmless the City of Alameda, and the Alameda City Planning Board and their respective agents, officers, and employees from any claim, action, or proceeding (including legal costs and attorney's fees) against the City of Alameda, Alameda City Planning Board and their respective agents, officers or employees to attack, set aside, void or annul, an approval by the City of Alameda, the Community Development Department, Alameda City Planning Board, or City Council relating to this project. The City shall promptly notify the applicant of any claim, action or proceeding and the City shall cooperate in such defense. The City may elect, in its sole discretion, to participate in the defense of said claim, action, or proceeding.